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Attorney for *Defendant Jesus Magallanes*

*UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION*

UNITED STATES OF AMERICA,

*Plaintiff,*

vs.

JESUS MAGALLANES,

*Defendant.*

No. 10-CR-00112-DLJ

STIPULATION AND ORDER  
CONTINUING STATUS CONFERENCE

Date: May 14, 2010

Time: 9:00 a.m.

Hon. D. Lowell Jensen

**STIPULATION FOR CONTINUANCE OF STATUS CONFERENCE**

It is hereby stipulated and agreed to between the United States of America through CYNTHIA LEWIS STIER, Assistant United States Attorney, and defendant, JESUS MAGALLANES, by and through his respective counsel, that the status conference in the above-captioned matter set for Friday, May 14, 2010, be continued to Friday, June 11, 2010, at 9:00 a.m.

The parties further stipulate that the time period from Friday, May 14, 2010, up to and including the new status conference date of Friday, June 11, 2010, should be excluded from computation of the time for commencement of trial under the Speedy Trial Act. The parties stipulate that the ends of justice are served by the Court excluding such time, so that defense counsel may have reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161 (h) (7) (B) (iv). Specifically, defendant agrees that his counsel needs additional time to continue discussions with the government regarding potential resolution of the case, reviewed produce discovery in the case, and effectively evaluate the posture of the case and potentially prepare for trial. See *id.*

For these reasons, the defendant, defense counsel, and the government stipulate and agree that the

interests of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161 (h) (7) (B) (iv); 18 U.S.C. § 3161 (h) (7) (B) (ii).

Respectfully Submitted,

DATE: May 13, 2010

By: /s/ Robert J. Beles  
ROBERT J. BELES  
Counsel for Jesus Magallanes

DATE: May 13, 2010

By: /s/ Cynthia Lewis Stier  
CYNTHIA LEWIS STIER  
Assistant U.S. Attorney

**IT IS SO ORDERED.**

**Dated: May 13, 2010**

  
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D. LOWELL JENSEN  
UNITED STATES DISTRICT JUDGE